

Remarks/Arguments

Claims 2, 3, 9,11-26 remain in this application.

Claims 2, 3, 9, 11,12,14-16 and 21-24 have been rejected under 35 USC 102(b) over Pouletty et al. Applicant disagrees.

The claims make clear the present invention uses a porous membrane as its starting material. Area(s) of non-porous material are created in the porous membrane as taught by the specification of the present invention so that they collapse and are fused into a non-porous mass. The rest of the areas of the porous membrane remain porous throughout.

This is quite unlike that of the cited reference which uses a porous filter and then applies a nonporous tape applied to portions of the top surface of the filter. The nonporous tape is not a part of the porous filter but is a separate and distinct layer on selected top portions of the porous filter. The filter below the tape however is still porous unlike that of the invention which is collapsed and fused in the non-porous areas .

The cited reference fails to teach each and every element of the claims, e.g. a using a porous membrane having nonporous areas formed in it, and as such it fails to anticipate the current claims.

Claims 2, 3, 9, 11, 12 and 14-24 have been rejected under 35 USC 102(b) over Moya et al. Applicant disagrees.

The Office Action suggests that Figure 14 shows top patterned porous sheets and a layer of non-porous material disposed between the two porous patterned surfaces. Applicant disagrees. The reference teaching forming porous areas in an otherwise non-porous substrate, the exact opposite of the present claimed invention which uses a porous substrate such as a membrane and then has

nonporous areas of collapsed and fused material. The embodiment of Figure 14 doesn't teach the present invention and the presently claimed invention excludes materials such as Moya from its claim language.

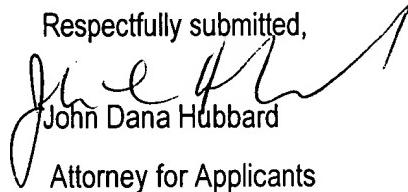
Claims 22-24 have been rejected under 35 USC 103(a) over Moya in view of Wang et al. The combination of the references fail to teach or suggest the structure of claim 2 and it further fails to teach or suggest adding a surface modification to that structure. As such it is believed that claims 22 and 23 as amended and claims 22-24 in view of the amendment to claim 2 are patentably distinct from the cited combination.

Claims 2, 3, 9, 12, 14, 16, 25 and 26 are rejected under the doctrine of obviousness-type doubling patenting. Applicant has submitted a suitable terminal disclaimer with this response.

Claim 13 has been amended as suggested in the Office Action to overcome the objection.

Reconsideration and allowance are respectfully requested in view of the foregoing amendment and remarks.

Respectfully submitted,



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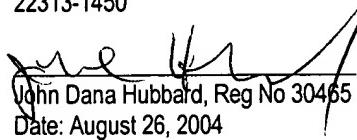
Reply to Office Action of June 2, 2004

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